

Message Text

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ORIGIN OES-09

INFO OCT-01 NEA-10 ISO-00 ACDA-12 CIAE-00 INR-10 IO-13
L-03 NSAE-00 NSC-05 EB-08 NRC-05 SOE-02 DODE-00
DOE-15 SS-15 SP-02 CEQ-01 PM-05 SAS-02 /118 R

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L/N: R BETTAUER
NRC: M PETERSON

-----000809 081718Z /50

P 081633Z YUG 78
FM SECSTATE WASHDC
TO AMEMBASSY NEW DELHI PRIORITY
INFO AMCONSUL BOMBAY PRIORITY

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E.O. 11652: N/A

TAGS: MNUC, TECH, IN

SUBJECT: APPLICATION FOR EXPORT LICENSE XSNM-1222 --
CONFIRMATION OF PHYSICAL SECURITY PROTECTION

REF: (A) STATE 190361; (B) STATE 191244; (C) NEW DELHI
11714

1. EXECUTIVE BRANCH AGENCIES MAKING EVERY EFFORT TO
EXPEDITE REVIEW OF EXPORT LICENSE APPLICATION FOR NEXT
TARAPUR FUEL SHIPMENT (XSNM-1222).

2. DOE RECENTLY WROTE INDIAN EMBASSY IN WASHINGTON
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FOR WRITTEN ASSURANCE FROM COMPETENT INDIAN GOVERNMENT
AUTHORITIES THAT PHYSICAL SECURITY MEASURES WILL BE
MAINTAINED WITH REGARD TO THE NUCLEAR MATERIAL TO BE
FURNISHED UNDER THE REQUESTED LICENSE, WHICH PROVIDE,
AS A MINIMUM, PROTECTION COMPARABLE TO THAT SET FORTH IN
INFCIRC/225/REVISION 1.

3. RECENT DISCUSSION OF LICENSE APPLICATION BETWEEN DEPTOFF AND INDIAN EMB POLITICAL OFFICER INDICATED POSSIBILITY OF SOME CONFUSION ON PART OF INDIANS REGARDING PROCEDURES FOR PHYSICAL SECURITY ASSURANCES.

4. CONGEN BOMBAY MAY WISH TO RAISE SUBJECT OF PHYSICAL SECURITY ASSURANCES WITH SHAH OR SETHNA, DRAWING ON POINTS PROVIDED REF A AND B REPEATED TO EMBASSY AND CONGEN.

5. IT MAY BE USEFUL TO EMPHASIZE TO INDIANS THAT THEY ARE NOT BEING SINGLED OUT IN REGARD TO THE ASSURANCE REQUEST. NUCLEAR NON-PROLIFERATION ACT OF 1978 DIRECTED THE NUCLEAR REGULATORY COMMISSION TO PUBLISH REGULATIONS ESTABLISHING ADEQUATE LEVELS OF PHYSICAL PROTECTION NO LESS STRICT THAN THOSE ESTABLISHED BY ANY INTERNATIONAL GUIDELINES TO WHICH US SUBSCRIBES. NRC PUBLISHED SUCH REGULATIONS MAY 19 WHICH CALL FOR WRITTEN ASSURANCES FROM RECIPIENT GOVERNMENTS THAT PHYSICAL PROTECTION WILL BE ACCORDED NUCLEAR MATERIALS AND FACILITIES RECEIVED FROM THE UNITED STATES CONSISTENT WITH THE LEVEL OF PROTECTION ENVISAGED BY IAEA DOCUMENT INFCIRC/225/REVISION 1. WE DO NOT BELIEVE THAT THE PROVISION OF PHYSICAL SECURITY ASSURANCES SHOULD POSE A PROBLEM FOR THE INDIAN GOVERNMENT.

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6. IN VIEW OF FACT THAT DATE OF XSNM-1222 LICENSE APPLICATION SUBSTANTIALLY PREDATES NEW PHYSICAL SECURITY REQUIREMENT, WE EXPECT TO FORWARD EXECUTIVE BRANCH RECOMMENDATION TO NRC WHEN OTHERWISE COMPLETE WITHOUT WAITING FOR ASSURANCE. HOWEVER, WE BELIEVE THAT NRC CONSIDERATION OF THIS RECOMMENDATION WOULD BE CONSIDERABLY ENHANCED IF INDIAN ASSURANCE WERE IN HAND AT TIME OF COMMISSION REVIEW. CHRISTOPHER

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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